

**REMARKS**

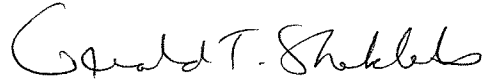
In the above-Identified Office Action the Examiner has rejected claims 1, 13, 15, 17, 19 and 21 as unpatentable over the reference entitled "Cipla". The Examiner has noted that the reference does not expressly teach less than 150mg of fluconazole in less than 2000mg of tinidazole in a single composition. However, Applicant states that it is critical that this composition be as claimed and hereby submits a Declaration by the inventor to such effect. The Declaration sets forth the test that the inventor has administered and supervised a test indicating "surprising results" were associated with a group given a dosage lesser than that taught by Cipla. Thus, by the test, the inventor has shown that it is critical to lower the specific dosage given to a patient to less than 2000mg tinidazole and less than 150mg fluconazole in treatment of the infection disease of the female reproductive system. It is by this decreased dosage that the number of adverse reactions may also be decreased. In view of the criticality established by the enclosed Declaration, Applicant hereby requests reconsideration and reexamination of the application, noting that such should lead to allowance.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

With the above amendments and remarks, this application is considered ready for allowance and applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he/she is respectfully requested to call the undersigned at the below listed number.

US 10/762,616

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald T. Shekleton". The signature is fluid and cursive, with the first name "Gerald" and last name "Shekleton" clearly distinguishable.

Dated: 4 December 2008

**Gerald T Shekleton**

Reg. No. 27,466

Husch Blackwell Sanders Welsh & Katz

120 South Riverside Plaza, 22<sup>nd</sup> Floor

Chicago, Illinois 60606

Phone: (312) 655-1511

Fax: (312) 655-1501